

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR REGULATION: 95.04 RR, Closed Area No. 39-D, Western Blue Hill Bay, Watson Brook and Eastern Naskeag Neck, Blue Hill, promulgated on September 22, 1995, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.04 RR, Closed Area No. 39-D, High Head-Sand Point, South Blue Hill:

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of western Blue Hill Bay inside and westerly of a line running from the easternmost point of High Head, Blue Hill, to the most eastern tip of Sand Point, Blue Hill.

EFFECTIVE DATE: July 13, 2001

AGENCY CONTACT PERSON: Amy Fitzpatrick
Department of Marine Resources
194 McKown Point
West Boothbay, ME 04575

BANGOR DAILY NEWS
July 17, 2001

STATEMENT OF FACT AND POLICY

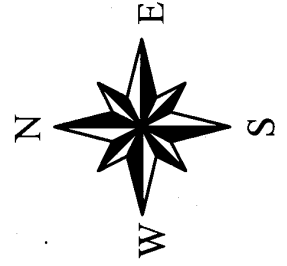
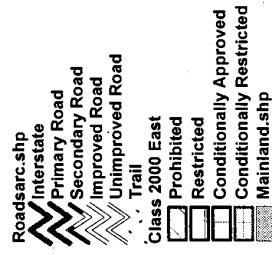
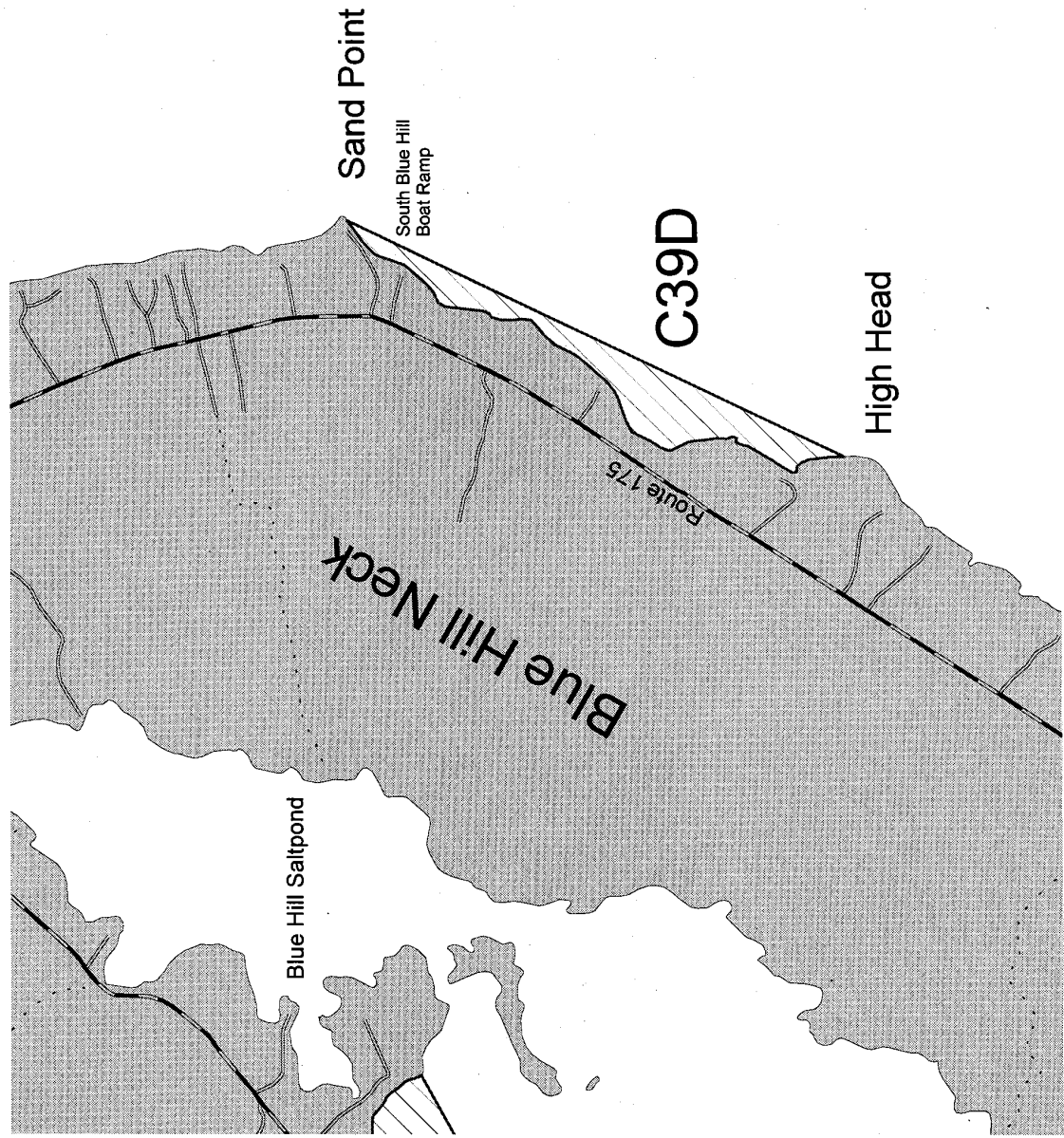
The Commissioner of the Maine Department of Marine Resources repeals emergency DMR Regulation 95.04 RR, Closed Area No. 39-D, Western Blue Hill Bay, Watson Brook and Eastern Naskeag Neck, promulgated on September 22, 1995 and replaces it with a new rule by eliminating the closure at the mouth of Watson Brook, Herrick Bay, Brooklin. The closure at South Blue Hill (High Head to Sand Point) remains unchanged.

Department personnel have sampled and surveyed the area and have determined that the remaining closed area is subject to intermittent microbiological pollution from a licensed overboard discharge and will remain closed to protect public health. The previously closed area, located at the mouth of Watson Brook, Herrick Bay, Brooklin is no longer subject to intermittent pollution and can be opened to the harvest of shellfish without threat to the public health.


E. PENN ESTABROOK
Deputy Commissioner

Shellfish Closure C39D

July 13, 2001



0.7 0 0.7 1.4 Miles

0.7